

**EXPERT REPORT OF MICHAEL GRAY**

*Assiff, Joshua vs. County of Los Angeles, et al.*

Case No. 2:22-cv-05367

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Dated: May 10, 2023

## **EXPERT REPORT OF MICHAEL GRAY**

1. I am a retired deputy sheriff (effective 02-05-2001), attaining the rank of Deputy Sheriff/Detective for the County of Los Angeles, California, Sheriff's Department. I started in my career as a deputy sheriff in 1984 and worked in that field until retirement. I held the rank of Deputy Sheriff for seventeen years. The assignments that I have worked were Custody, Patrol Deputy, Traffic Enforcement Deputy, Field Training Officer (FTO), Station Detective, and Detective Division. For eleven (11) years of my active law enforcement career I was a detective investigating property crimes such as burglary and vehicle theft and crimes against persons including but not limited to; assaults, sexual assaults, child abuse, and robbery. I have personally written over 300 search warrants and participated in the service and execution of hundreds more. As a detective, I have conducted more than two thousand investigations covering almost every area of law enforcement and have conducted interviews of witnesses, victims, and suspects in the thousands. I have been a Field Training Officer, a Trainer of new Detectives and a classroom trainer for the Department and for the Training Center and have trained over one thousand – seven hundred (1,700) California law enforcement personnel in various aspects of investigations. I am a Trainer of Trainers, personally instructing over one hundred-seventy (170) California law enforcement trainers in the Commission on POST "Master Instructor Development Program" and over four hundred (400) California law enforcement trainers in the Commission on POST "Institute of Criminal Investigations Instructor Training Course." Many of the programs and training have a component of interview and interrogation and I am very experienced in *Monell* liability claims.

a. In 2016, I performed civil rights work for the Federal Department of Justice – Civil Rights Division, as it relates to Use of Force training in an academy, Field Training Officer program and In-Service

training, during a DOJ investigation of a major mid-west city police department and have produced reports on observations and findings used in a final report to and by the Federal Department of Justice.

b. Since 2014, I have served as a police practices expert for both plaintiff and defense cases and as a use of force / police practices expert witness I have been retained on a range of cases including officer involved shootings, alleged excessive force, patrol procedures, jail deaths and criminal investigations. I have testified in State courts as an expert on investigations and narcotics cases and in Federal courts as an expert witness in police practices.

c. From 2019 – 2021 I served on the San Diego County Citizens Law Enforcement Review Board (CLERB) which has jurisdiction over San Diego County Peace Officers to conduct impartial and independent reviews and render decisions on all manner of citizen complaints including jail deaths and Officer Involved Shootings, along with other complaints on Use of Force. I have reviewed policy and procedures in the County of San Diego making policy change recommendations to the San Diego County Sheriff's Department.

d. During my time as a patrol deputy for the LASD, I was assigned to a traffic unit, enforcing traffic laws and investigating traffic collisions. During my time working this assignment I wrote over 3,500 traffic citations for a variety of violations of the California Vehicle Code.

e. Currently I am the Executive Director of the Intergovernmental Training and Develop Center (ITDC) in San Diego, CA (a government training center, training over 4,000 law enforcement personnel annually in over 75 California POST certified courses). As the Executive Director of the

ITDC, I am active as an executive, administrator, instructor, developer, author and consultant and have responsibility for the oversight and administration of the ITDC including the oversight of over three hundred fifty (350) instructors who teach in 77 different POST certified courses that the ITDC operates. I oversee over fifteen Commission on POST Institute of Criminal Investigation (ICI) courses, in which over two thousand (2,000) law enforcement investigators are trained each year, all of which discuss in some form or fashion the laws of arrest and interview and interrogation with current updated laws.

f. A true and correct copy of my curriculum vitae, which more completely sets forth my education, training, experience, qualifications, and publications is attached hereto as **Exhibit 1**.

g. A list of all other cases in which I have testified as an expert at trial or by deposition during the previous 4 years is attached hereto as **Exhibit 2**.

h. My fee is \$275.00 per hour for case review and preparation, \$900 for 3 hours of deposition testimony (and \$300.00 per additional hour or any portion thereof), and \$2,500 per day for scheduled hearings and/or Court appearances.

2. In preparing this report, I reviewed and relied on the following documents:

- a. First Amended Complaint for Damages;
- b. Plaintiff's response to RFA#1 by Def COLA;
- c. Plaintiff's response to RFA #2 by Def Travis Kelly;
- d. Plaintiff's response to RFA #2 by Sgt Travis Kelly;
- e. Plaintiff's response to SROGS #1 by Def. COLA;

- f. Plaintiff's response to SROGS #1 by Def Travis Kelly;
- g. Medical treatment report by Payam Yermian, D.C.;
- h. Body worn camera video dated 09/24/2021;
- i. Document production from County of LA, numbered page COUNTY000001 to COUNTY0000119 which includes;
- j. Arrested person's children form;
- k. Arrestee Medical Screening form;
- l. Bail form;
- m. Booking and property record form;
- n. CLETS printout;
- o. LA County Consolidated Criminal History Reporting System printout;
- p. Henry Mayo Newhall Hospital medical clearance form;
- q. LASD Preliminary field medical screening;
- r. Probable Cause Determination (Declaration);
- s. Release of vehicle hold;
- t. Assiff, Joshua release form;
- u. LASD Station Jail inmate classification questionnaire;
- v. CHP 180 vehicle report;
- w. Registration printouts for a 2021 GMC SUV;
- x. LASD voluntary delayed release form;
- y. LASD Crime Analysis Supplemental form;
- z. LASD Internal Affairs Bureau – Mandatory Notification form;
- aa. Deputy daily worksheet, 09/24/2021, Unit 65 SCT, Gallegos, Garrett;
- bb. Deputy daily worksheet, 09/24/2021, Unit 60M4 SCT, Clark, Joshua;
- cc. Deputy daily worksheet, 09/24/2021, Unit 60MS, Kelly, Travis;
- dd. County of Los Angeles Sheriff's Department Incident report 09/24/2021, URN#921-13126-0628-058;

- ee. LASD Santa Clarita Station AM Shift In-Service;
- ff. County of Los Angeles Sheriff's Department Supplemental report 09/24/2021, URN#921-13126-0628-058 by Clark, J.;
- gg. County of Los Angeles Sheriff's Department Supplemental report 09/24/2021, URN#921-13126-0628-058 by Deputy Cohen;
- hh. County of Los Angeles Sheriff's Department Supplemental report 09/24/2021, URN#921-13126-0628-058 by Deputy Gallegos;
- ii. County of Los Angeles Sheriff's Department Supplemental report 09/24/2021, URN#921-13126-0628-058 by Detective R. De La Maza;
- jj. Taser evidence report, 09/24/2021;
- kk. Unit history report for shift date 09/24/2021, Unit 60MS;
- ll. LASD Watch Commander's Use of Force Review and Incident Analysis;
- mm. LASD Supervisor's Report on Use of Force;
- nn. LASD Unit Commander's Use of Force Review and Incident Analysis;
- oo. North Patrol Division Force Review Checklist;

3. Based on my review and analysis of the records indicated above, I understand that this case involves the following facts:

a. Plaintiff alleges that, on or about September 24, 2021, he, a 21-year-old (black or mixed-race male), was pulled over and subsequently arrested by a male Caucasian motorcycle officer for no apparent reason and without probable cause. He further alleges that he was tasered, choked, pepper sprayed and beaten, all in violation of his constitutional rights.

b. The subject Deputy ("Sergeant Kelly") initiated the traffic stop at the intersection of Soledad Canyon Road and Sierra Highway because he observed a black GMC Terrain (driven by Plaintiff Assif) make a right-hand

turn without stopping for the steady circular red traffic signal (violation of California *Vehicle Code* section 21453(b)) and without yielding to pedestrians in the crosswalk (violation of California *Vehicle Code* section 21950(a)).

c. The incident was captured on video by Sergeant Kelly once he activated his non-department issued personal Body Worn Camera ("BWC") as he was dismounting his motorcycle at the outset of the traffic stop.

d. From the beginning of the traffic stop, Plaintiff was argumentative with Sergeant Kelly about the reason for the traffic stop, and contradicted Sergeant Kelly's statement that Plaintiff made a right-hand turn without stopping for the red traffic signal.

e. Sergeant Kelly requested Plaintiff's driver's license three times in the first approximately 45 seconds of the BWC. In response, Plaintiff continued arguing with Sergeant Kelly and did not provide his driver's license. At the third request for Plaintiff's driver's license, Sergeant Kelly warned Plaintiff to "give me your driver's license or you're going to jail."

f. In response to the third request for Plaintiff's driver's license, Plaintiff stated "let me grab my phone," and began to reach towards the center console of the vehicle with his right hand. Immediately thereafter, Sergeant Kelly opened Plaintiff's driver's door and ordered Plaintiff to exit the vehicle. Plaintiff responded "no I'm not."

g. Sergeant Kelly made physical contact with Plaintiff's left wrist for a brief moment to pull him out of the vehicle, but Plaintiff pulled his left arm away. Sergeant Kelly's report on the incident indicates that he felt Plaintiff kick him during this brief struggle.

h. Sergeant Kelly stepped back slightly from Plaintiff and radioed for backup; he also yelled out “Josh,” presumably to another Deputy in the same parking lot. Plaintiff began to video record the incident on his cellphone.

i. Sergeant Kelly again ordered Plaintiff to exit his vehicle multiple times, and warned Plaintiff that he would be pepper sprayed for failing to comply. Plaintiff continues to video record Sergeant Kelly and continues his refusal to comply with Kelly’s verbal commands. Plaintiff and Sergeant Kelly continued to verbally argue for a few seconds after Sergeant Kelly warned about the use of pepper spray, and Plaintiff demanded a supervisor respond to the scene.

j. Around 1 minute and 20 seconds into the BWC footage, Sergeant Kelly deployed his pepper-spray against Plaintiff in a 1-2 second burst, and initiated second physical contact with Plaintiff to pull him out of the vehicle. As they struggled, Sergeant Kelly radioed that he was involved in a fight.

k. At about 1 minute and 25 seconds into the BWC footage, a second Deputy (identified as Deputy Joshua Clark) can be seen attempting to aid Sergeant Kelly with Plaintiff to pull him out of the vehicle. Sergeant Kelly reported that he saw Plaintiff punch Deputy Clark in the chest, and punched Plaintiff in the face with his left fist. The physical struggle between the two Deputies and Plaintiff continued for about 55 seconds.

l. At about 2 minutes and 20 seconds, a third Deputy (Deputy Garrett Gallegos) arrived on the scene. At this time, Sergeant Kelly and Deputy Clark were continuing to struggle with Plaintiff who was still seated in the driver’s seat of his vehicle actively resisting. Shortly thereafter,



Deputy Gallegos deployed his Taser to Plaintiff's back through direct contact.

m. At about 2 minutes and 27 seconds, the three Deputies were able to bring Plaintiff out of his vehicle and to the ground next to it. Once on the ground, Plaintiff continued kicking and pulling his arms away despite commands to get onto his stomach and stop resisting.

n. Sergeant Kelly said that he punched Plaintiff twice in the stomach to get him to comply. At about 2 minutes and 36 seconds, Deputy Gallegos again deployed his Taser to Plaintiff in an attempt to gain compliance.

o. Sergeant Kelly ordered Plaintiff to roll onto his stomach and place his hands behind his back, and warned that the Taser would be used again if he did not comply. Plaintiff then rolled onto his stomach, stopped resisting and was placed in handcuffs. At about 2 minutes, a Deputy can be heard saying "Shut the fuck up."

p. On September 25, 2021, a judicial officer of the State of California found that there was probable cause for Plaintiff's subject arrest for California *Penal Code* sections 69 (resisting an officer) and 243(b) (battery against the person of an officer). (See Exhibits "A" – "C".)

q. As to Sergeant Kelly, Plaintiff alleges that he "acting under color or law or color of authority, deprived Plaintiff of his rights, privileges, or immunities secured by the State and Federal Constitutions, by arresting Plaintiff without probable cause and with use of excess force in violation of the Fourth and Fourteenth Amendment to the United States Constitution." (First Amended Complaint, ¶ 15.)

r. As to the County, Plaintiff alleges in a conclusory manner that the “County knowingly and intentionally promulgated, maintained, applied, enforced, and continued policies, customs, practices and usages... include[ing], without limitation, the employment of motorcycle and other officers to make unnecessary and unwarranted traffic stops to bully and harass African American drivers. This would include among other things, the initiation of frivolous traffic stops, arrest without probable cause, and the use of excessive force to effectuate the arrest.”

4. It is my expert opinion, based on my education, training, experience, and review of materials to date, the force used during the incident was objectively reasonable and appropriate under the circumstances; there was probable cause for Plaintiff Assiff’s arrest; the County of Los Angeles responded appropriately to the incident, and; no pattern of unconstitutional acts by Sergeant Kelly or the County of Los Angeles Sheriff’s Department exist that caused Plaintiff’s injury.

a. Review of Kelly’s BWC footage indicates that Plaintiff Assiff both verbally and physically resisted Sergeant Kelly’s detention; specifically, Assiff verbally argued with Sergeant Kelly regarding the legality of the traffic stop, he declined to provide his driver’s license when requested (three times) (a violation of California Vehicle Code 12951(b), a misdemeanor) and, even after he was warned that failure to do so would result in an arrest, he refused to exit the vehicle despite being ordered to do so several times. Citizens are aware (California DMV Handbook and CVC 12951(b)) that when stopped by law enforcement they must produce a driver’s license, proof of insurance and vehicle registration and if told to exit a vehicle they must comply. Citizens are generally aware they do have a First Amendment right to records interactions with law enforcement but do not have a right to interfere with the officer’s lawful

- duties or commands. Plaintiff was warned that failure to do so would result in him being pepper sprayed, and he physically resisted and fought Sergeant Kelly's attempts to remove him from his vehicle to effectuate an arrest a violation of Penal Code Section 148.
- b. Collectively, this series of failures to comply and the escalation from passive to active (and aggressive) resistance on Plaintiff's behalf provided Sergeant Kelly with the probable cause to lawfully arrest Plaintiff pursuant to California Penal Code section 836—which allows a peace officer to arrest a person without a warrant if the officer has probable cause to believe that the person to be arrested has committed a felony.
  - c. Based on the aforementioned conduct, it is my opinion that Sergeant Kelly's conduct appears reasonable under the circumstances and is compliant with law enforcement training, policies, and procedures.
  - d. The Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it. Based on my review of the incident footage, my opinion is that Sergeant Kelly's conduct was not excessive force and, instead, appears to be an appropriate degree of force, that is objectively reasonable, in light of Plaintiff's continued resistance and failure to comply with Sergeant Kelly's orders.
  - e. It is my opinion that The County of Los Angeles, Sheriff's Department neither promulgates, maintains, nor enforces customs or policies that allowed for nor caused Plaintiff injury. Nothing in Sergeant Kelly's personnel history presented as concerns that would give Defendant

County of Los Angeles the impression that Sergeant Kelly is either unfit for duty or dismissive of relevant policies and procedures.

- f. It is my opinion that supervisor and management personnel of the LASD, who supervise and manage Sergeant Kelly for The County of Los Angeles, responded appropriately in the review and handling of this incident, specifically shown in Sergeant Kelly's superiors review and follow up report of the incident.
- g. I have found nothing to indicate that the LASD has a custom or practice of violating the civil rights of citizens. The LASD has a very comprehensive Use of Force manual that gives thorough and specific details on the use of force and the reporting of such use of force. There is nothing in the record(s) reviewed that would indicate that the LASD failed to properly supervise Sergeant Kelly and it is my opinion the reporting process and follow up investigation was proper, thorough and followed LASD policies and procedures.



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Michael Gray

# Exhibit 1

## CURRICULUM VITAE

Michael Gray  
PO Box 231250  
Encinitas, CA 92023  
760-710-1310

[mgrayconsult@protonmail.com](mailto:mgrayconsult@protonmail.com)

### EMPLOYMENT HISTORY

USE OF FORCE / POLICE PRACTICES EXPERT WITNESS CONSULTANT      2014 – PRESENT  
(Self- employed):

As a use of force / police practices expert witness Mr. Gray has been retained on a range of cases including officer involved shootings, alleged excessive force, patrol procedures, jail deaths and criminal investigations. Gray has testified in State courts as an expert on investigations and narcotics cases and in Federal courts as an expert witness in police practices.

GOVERNMENT TRAINING AGENCY/REGIONAL TRAINING CENTER      2006 – PRESENT

During his time at the Government Training Agency (GTA), Executive Director Gray has supervised, managed and performed executive level functions for all staff at the GTA and over 350 law enforcement trainers.

Executive Director      2011 - PRESENT

Executive, administrator, leadership, curriculum developer, policy analysis and development and management of an annual budget in excess of \$5.6 million dollars and training of over 4,000 law enforcement personnel each year.

Provides the organizational goals and vision as well as setting a Mission Statement and providing direction for the training center. A government entity, the GTA provides services to other government entities both in California and around the nation.

Manage and Administer all POST programs under contract to the GTA, the CA POST Command College, Middle Management (Lieutenant) program, Supervisor Academy, Instructor Development Institute and Criminal Investigations. Provide

oversight, recruiting, selecting or approving of instructors (Chiefs, Sheriff's, Commander's, Captain's and Lt's).

Consultant and Subject Matter Expert to the California Commission on POST for a variety of topics to include; Management, LE Supervision, Officer Involved Shooting course, Advanced Homicide Investigations, Investigations, Identity Theft, Mental Health, Procedural Justice and Police Legitimacy, and De-escalation

#### Management Assignments

2006 – 2011

Director of Law Enforcement Training – manage a budget of \$2.5 million dollars, identify, select and train instructors and coordinators for a number of CA POST Investigative courses under the POST Institute of Criminal Investigation.

Program Management of the CA POST Instructor Development Institute. Oversight, policy development and implementation for the IDI program, coordination of courses, curriculum development and instructor selection, development, mentoring and training.

Policy development for POST programs. Work with POST personnel on developing guidelines for updating curriculum, mentoring and course development.

#### BOARD MEMBER – SAN DIEGO COUNTY CITIZEN'S LAW ENFORCEMENT REVIEW BOARD (CLERB) August 2019–November 2021

Board members of CLERB have jurisdiction over peace officers employed by the San Diego County Sheriff's Department and the Probation Department and conducts independent, and impartial reviews of complaints of misconduct and deaths and other specified incidents arising out of or in connection with actions of peace officers. CLERB has authority to review complaints and render decisions on all types of citizen complaints and all jail deaths and Officer Involved Shootings (OIS). In addition to reviewing complaints, CLERB reviews policy and makes policy change recommendations to the San Diego County Sheriff's Department and Probation department as is deemed necessary. During Gray's term on CLERB, he reviewed over 20 Officer Involved Shooting cases, and in-custody death investigations as well as reviewing policies and procedures of the San Diego County Sheriff's department, rendering decisions with the Board on actions to take concerning these cases and making recommendations of policy change to the COSD Sheriff's Department.

#### REGIONAL TRAINING CENTER – (CONTRACT BASIS)

11/1997 to 09/2006

##### Course Administrator

Program Administrator for a 40-hour instructional course for California law enforcement; Identity Theft Investigations & Hate Crimes

### Program Coordinator

Program Coordinator and facilitator for the California Peace Officer Standards and Training (POST), Master Instructor Development Program (MIDP)

### Instructional and Curriculum Design

Design both instructor training and conducted curriculum design for POST programs Advanced Homicide Course – curriculum development, course development, course planning and implementation.

### LOS ANGELES COUNTY SHERIFF'S DEPARTMENT – DEPUTY SHERIFF/DETECTIVE/SUPERVISOR:

02/1984 to 02/2001

Deputy Sheriff – custody, patrol, field training officer, acting team sergeant.

- Custody – Men's Central Jail, floor deputy, module deputy, main control
- Patrol operations, Field Training Officer
- Detective – station level, crimes against persons, property crimes, missing children
- Detective – station level, vehicle theft investigations
- Detective assigned to Taskforce for Regional Autotheft Prevention (TRAP)
- Detective A/Sergeant, TRAP – established a team within the taskforce and supervised this team

### EDUCATION

Point Loma Nazarene University  
San Diego, CA  
Degree: Master's in Organizational Leadership  
Year: 2016

University of Phoenix  
Phoenix AZ 85040-1908  
Degree: Bachelor's in Business Management  
Year: 2001

Rio Hondo Community College  
Whittier, CA 90601-1699  
Major: Administration of Justice  
Year: 1987/1988

CALIFORNIA COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING (POST)  
CERTIFICATES

Basic	1985
Intermediate	1990
Advanced	1993
Master Instructor	1997

PUBLICATIONS

2017 – Co-wrote article, “A Practitioner’s Guide to the Documentation of the Use of Force – 2017,” published in Illinois Enforcement Training and Standards Board, Executive Institute, Law Enforcement Executive Forum, Vol. 17, No 2. October 2017.

2017 – Wrote article, “Procedural Justice Framework as a Leadership Model,” published in the quarterly newsletter for the International Association of Directors of Law Enforcement Standards and Training (IADLEST), April 2017.

2015 – Wrote article titled, “Is Law Enforcement Training Affective Enough,” published in the International Chiefs of Police Association (IACP) online magazine, November 2015.

2015 – Co-authored article titled “Meeting Your Training Needs Simply and Effectively,” published in the July 2015 issue of California Peace Officers’ Association magazine.

2006 – Wrote article on mentoring for instructors for the California POST Master Instructor Development Program.

2001 – (Updated version 2004 and 2006) Wrote and published: Manual on “Mentoring Coordination for the Master Instructor Program.”

2000 – (Updated 2006) Published: Manual on “Mentoring Coordination for the ICI Mentor.”

1997 - Published author: Article on “Vehicle Theft by Fraud,” Published 1997 in the International Auto Theft Investigators Magazine with worldwide audience.

JOB-RELATED HONORS, AWARDS, AND SPECIAL ACCOMPLISHMENTS:

2011 – State of California Commission on POST “Lifetime Achievement Award;”

2010 – Present: Member FBI-LEETA;

2009 – Commission on POST, ICI “Founders” Award;

2007 – Performance award for outstanding job performance at RTC;

1998 – 2005: Member of Association for Law Enforcement Trainers (ASLET);

1993 – Present: Member of the Association for Training and Development (ATD);

1993 – Awarded the silver medal for meritorious conduct by Sheriff Sherman Block, LASD;

1989 to 2000 Numerous commendations for exceptional performance – LASD;



1998 – Train the Trainer (California State University at Long Beach) Certificate;

1999 – Supervision Training (California State University at Long Beach) Certificate;

#### PROFESSIONAL ACTIVITIES

- Team Building – POST certified team building facilitator;
- Instructor / Presenter of law enforcement training to in-service officers or departments;
- Committee Member – POST Instructor Standards Advisory Committee;
- Specific area of expertise – investigations, police procedures & practices, supervision, training and Use of Force;
- Curriculum Developer and Reviewer of curriculum writing;
- Past Instructor – LASD Academy and In-service Instructor;
- Operation of POST Instructor Symposium;
- Training of trainers in police training procedures;
- Consultant - Commission on Peace Officer Standards and Training, State of California
- Organizational Consulting (leadership, training, administration)

#### ASSOCIATIONS

Member – International Association of Chiefs of Police

Member – International Association of Law Enforcement Academy Directors

Member – FBI-LEEDA

Member – Master Instructor Development Program Association

Member – Association for Talent Development

Member – California Police Officers Association

Member – Founding member of Women Leaders in Law Enforcement, San Diego Chapter.

## **CONSULTING**

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|-----------|---|------------------------|
| <b>1.</b> | <b>Vehicle Theft Telecourse Development</b><br>Development of a POST Telecourse to train patrol and detectives in procedures and processes of vehicle theft investigations.   | <b>1996</b>            |
| <b>2.</b> | <b>Institute of Criminal Investigation (ICI)</b><br>ICI Instructors Training for Trainers Course, Instruct new trainers in instructional methodology on classroom presentation, facilitation, learning activity development, safety planning, course design and POST procedures.  | <b>1997 to Present</b> |
| <b>3.</b> | <b>Master Instructor Development Program (MIDP)</b><br>Reviewed, designed and redesigned portions of the MIDP for the training and development of law enforcement trainers. Developed Lesson Plans for the program and updated on a yearly basis.   | <b>2000 - 2007</b>     |
| <b>4.</b> | <b>Institute of Criminal Investigations (ICI)</b><br>Review curriculum, write curriculum and implement the ICI Identity Theft Investigations course. Made recommendations for investigative procedures related to investigations. Taught investigative procedures to Identity Theft and Financial Crimes Investigators. | <b>2001 - present</b>  |
| <b>5.</b> | <b>Institute of Criminal Investigations (ICI)</b><br>Review curriculum, write curriculum and implement the ICI Hate Crimes Investigations course. Made recommendations for investigative procedures related to investigations. Course certified by POST.  | <b>2001 - 2002</b>     |
| <b>6.</b> | <b>POST Homicide Investigators Attributes Meeting</b><br>Committee to study and document the attributes of the Criminal Homicide Investigator. Details of study used in POST work for update of Homicide course and creation of Advanced Homicide course  | <b>2004</b>            |
| <b>7.</b> | <b>POST Advanced Homicide Course Scenarios</b><br>Committee to create curriculum for the POST Advanced Homicide course. Wrote curriculum, scenarios, learning activities and all documents related to this POST certified course.   | <b>2004</b>            |

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| 8.  | <b>POST Advanced Homicide Course Pilot</b><br>Reviewed course pilot, reviewed investigative techniques, processes for investigations, reviewed and evaluated trainer performance, student performance and wrote recommendations for changes – adopted by POST in re-certification of the course. | 2005           |
| 9.  | <b>POST Master Instructor Planning Committee</b><br>Committee to review, update and plan new material for the POST Master Instructor Program. Revisions/changes were adopted by POST.  | 2005           |
| 10. | <b>POST Master Instructor Update Conference</b><br>Committee to plan and present a conference for POST Master Instructors in training and development updates. Conference presented with POST certification.   | 2006           |
| 11. | <b>POST VICE Curriculum Development Update</b><br>Review of VICE course, interview of instructors, curriculum update and production of new/updated VICE course instructional guidebook. Adopted and certified by POST.   | 2006           |
| 12. | <b>POST ICI Presenters Meetings</b><br>Participation on committee of ICI course presenters which regularly review content and process for the presentation of ICI courses.   | 2006 – Present |
| 13. | <b>POST Law Enforcement Conference</b><br>Committee planning and execution of the annual POST law enforcement conference for trainers/instructors.   | 2006           |
| 14. | <b>POST Instructor Standards Advisory Committee</b><br>Member of Committee which reviews, determines new standards for law enforcement instructors in California and makes recommendations to the Commission on POST.  | 2006 – Present |
| 15. | <b>POST Instructor Symposium Committee</b><br>Head and direct the committee which gives recommendations on the presentation of the annual Instructor Symposium for California law enforcement.   | 2006 – 2016    |

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| 16. | <b>POST Instructor Development Institute (IDI)</b><br>Committee to create the POST Instructor Development Institute which was adopted by POST with courses presented by GTA.   | 2006 – Present |
| 17. | <b>POST Detective Symposium Committee</b><br>Member of committee which reviews and determines best practices and training for annual POST Detective Symposium.   | 2008 – 2012    |
| 18. | <b>POST ICI Real Estate Fraud Curriculum Development</b><br>Facilitated committee and wrote curriculum in the development of the ICI Real Estate Fraud Investigations Course. Course certified by POST.                                    | 2008           |
| 19. | <b>POST IDI Special Instructor Development Course</b><br>Committee to create and present the course for POST. Certified in 2008 and presented 2008-2010.   | 2008           |
| 20. | <b>Institute of Criminal Investigation (ICI)</b><br>ICI Instructors Training for Trainers Course, Headed and directed the re-design of this POST course to meet the needs of the trainee. All changes adopted and certified by POST.       | 2009 - 2010    |
| 21. | <b>Institute of Criminal Investigations (ICI)</b><br>Committee review and recommendations and oversight in the development and writing of curriculum in the for the ICI Technology in Investigations Course. Course was certified by POST. | 2009           |
| 22. | <b>POST Strategic Planning Steering Committee</b><br>Facilitated meetings for the POST committee's study of future direction and organizational objectives for the Commission on POST.   | 2009           |
| 23. | <b>POST Training Managers Committee</b><br>Committee member reviewing and discussing current trends of training and instruction for training managers within the law enforcement community. Recommendations given to POST Staff.           | 2010           |

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| <b>24.</b> | <b>POST Quality Assessment Committee</b>   | <b>2011 – 2012</b>    |
|            | Committee to study, review and make recommendations to POST regarding the development of standardized assessments across all POST training programs. Participated in multiple meetings and review of instruments to evaluate law enforcement instructors and training programs.  |                       |
| <b>25.</b> | <b>POST Management Course Update</b>   | <b>2013 – Present</b> |
|            | Committee to review, update and create new curriculum for the Management (lieutenants) course. Recommendations being presented to POST on ongoing basis.   |                       |
| <b>26.</b> | <b>Traffic Collision Investigations</b>  | <b>2013 – 2015</b>    |
|            | Work with Traffic Collision subject matter experts on the design of a Traffic Collision Institute. Review and provide training Recommendations and implementation processes. Provide executive level review of curriculum, outlines and all content regarding six levels of training courses.  |                       |
| <b>27.</b> | <b>POST Institute of Instructor Development</b>  | <b>4/2014 – 2017</b>  |
|            | Committee member and presenter for the Academy Instructor Certification Course update and creation of Training for AICC Trainers course. Committee conducted the review and update for the standardization of this instructor course that affects all law enforcement academy instructors – ongoing.   |                       |
| <b>28.</b> | <b>Instructor Development Symposium</b>  | <b>2007 – 2014</b>    |
|            | Planning and implementation of a law enforcement training program for 420 law enforcement trainers from throughout California.   |                       |
| <b>29.</b> | <b>POST “Edge of Chaos: Response to Critical Incidents”</b>  | <b>8/2014 – 2016</b>  |
|            | Review, provide training recommendations, present and prepare for certification of the pilot program of Critical Incident Response. Provide input and recommendations to committee in the development of the program. Provide consultation and recommendations to the Commission on POST for implementation of training curriculum for this program. Attended pilot class providing support and oversight. |                       |

- 30. POST ICI Officer Involved Shooting (OIS) Course Update 10/2015**  
Committee member and training Subject Matter Expert for the POST ICI OIS course update. Review and update of curriculum, review and update of training methods and provide input on current methods of training in this area.
- 31. POST Officer Involved Shooting Investigations 01/2016**  
Attended 40-hour POST ICI OIS course presented by Mira Mar College, San Diego. Viewed course content and Instructors to evaluate for inclusion into SDRTC ICI Course menu.
- 32. POST Officer Involved Shooting Investigations 01/2016**  
Oversaw the development of the CA POST Officer Involved Shooting Investigations course, worked with coordinator's, Attorney's and wrote/re-wrote curriculum to update this forty-hour course. Applied for and was granted certification of this course from POST. First offering of course was presented August 2016 by the Regional Training Center in Orange County, CA.
- 33. Federal Department of Justice - Civil Rights Division 07/2016 – 09/2016**  
Contracted to review training processes and procedures at the Chicago Police Department. Reviewed training on the Use of Force, Academy Training, In-Service Training, Tactics and Firearms. Authored a 17-page report to the USDOJ on my review and findings on Use of Force, training within the academy, in-service training, tactics and firearms and a summation on the review of numerous videos, training materials, FTO materials and interviews with personnel in the department as well as my observations during two patrol "ride-alongs".
- 34. California Commission on POST – De-escalation Project. 2019 - 2020**  
Contract with POST to oversee and administer a de-escalation summit of top law enforcement professionals from around the country and create a publication on de-escalation for dissemination to California law enforcement and other states upon request. Publication released in August 2020.

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|---|---|
| <p><b>35. City of Imperial Beach – Consultant</b><br/>         Work with City Manager on Ad Hoc Committee on the current state of affairs with Sheriff's contract for services. Review Use of Force reports and documents, RIPA stats and other pertinent documents in relation to police services for the City of Imperial Beach CA.</p> | <p><b>August 2020<br/>Sept 2020</b></p> |
| <p><b>36. Traffic Accident Investigations – Executive Director</b><br/>         Oversee and manage multiple traffic investigation courses presented by the RTC to include Basic Investigations, Intermediate Investigations, Advanced and Reconstruction.</p>   | <p><b>2019 - 2021</b></p>               |

**LAW ENFORCEMENT TRAINING**

LASO JAIL OPERATIONS	04/1984
LASO BASIC ACADEMY	08/1984
LASO LASER FIREARMS TRAINING	05/1987
LASO ADVANCED OFFICER COURSE (FOSD)	06/1987
LASO INTOXILYZER BREATH MACHINE	08/1987
LASO LASER FIREARMS TRAINING - II	08/1987
LASO DRUG ALCOHOL RECOGNITION TRNG	02/1988
LASO DRIVER TRAINING	03/1988
LASO RADAR OPERATOR TRAINING	03/1988
LASO TRAFFIC ACCIDENT INVESTIGATION	04/1988
LASO COMMERCIAL VEHICLE ENFORCEMENT	09/1988
LASO HAZARDOUS MATERIALS TRANSP ENF	09/1988
LASO ADVANCED OFFICER COURSE	02/1989
LASO FIELD TRAINING OFFICER	11/1989
LASO CRIMINAL INVESTIGATION I	03/1990
LASO MISSING PERSONS/RUNAWAYS	10/1990
CSU-SN JOS SEXUAL ASSAULT INVESTIGATION	06/1991
LASO LASER FIREARMS TRNG-II, UPDATE	06/1991
LASO ADVANCED OFFICER COURSE	08/1991

LASO GANGS AND SUBCULTURES UPDATE	08/1991
CSU-SN JOS ROBBERY INVESTIGATION	10/1991
POST TELECON-LEGISLATIVE UPDATE	04/1992
LASO DRIVER TRAINING (EVOC) UPDATE	08/1992
LASO LASER FIREARMS TRAINING UPDATE	03/1993
CHP VEHICLE THEFT INVESTIGATION	05/1993
LASO SKILLS & KNOWLEDGE MODULAR TRN	09/1993
LASO SKILLS & KNOWLEDGE MODULAR TRN	09/1993
LASO SKILLS & KNOWLEDGE MODULAR TRN	11/1993
LASO ANALYTIC INTERVIEWING	12/1993
LASO FIREARMS/TACTICAL RIFLE	09/1994
LASO SKILLS & KNOWLEDGE MODULAR TRN	12/1994
LASO SKILLS & KNOWLEDGE MODULAR TRN	08/1995
LAPD S&K-PREV. SEXUAL HARASSMENT	09/1995
CSU-SN JOS FRAUD/FORGERY INV-BASIC (ICI)	01/1996
LASO ADVANCED OFFICER COURSE	01/1996
LASO SEXUAL HARASSMENT	01/1996
LASO S&K-CULTURAL DIVERSITY PART I	01/1996
LASO S&K-CULTURAL DIVERSITY PART II	02/1996
LASO S&K-FORCE TRAINING PART II	05/1996
LASO S&K-CODE 3 PURSUIT DRIVING	09/1996
POST MASTER INSTRUCTOR CLASS #6	09/1996
POST MASTER INSTRUCTOR DEVELOP PRGM	11/1996
LASO LASER FIREARMS TRAINING UPDATE	12/1996
POST MASTER INSTRUCTOR DEVELOPMNT 6	01/1997
LASO S&K-FORCE TRAINING PART III	04/1997
POST MASTER INSTRUCTOR DEV. PROGRAM	04/1997
POST TRAINING SEMINAR	06/1997
POST MSTR. INSTR. DEV. CLASS #6	07/1997



M TOLERNCE CULT. DIV.-TOOLS FOR TOLERANCE	11/1998
POST SUPERVISION COURSE INSTRUCTORS	04/1999
LASO DRIVER TRAINING (EVOC) UPDATE	05/1999
POST LAW ENF RESP TO WEAPO OF MASS	02/2002
POST LAW ENF RESP TO WEAPS OF MASS	02/2002
D-PREP TERRORISM L.E. RESP. SUPR/MGR	08/2002
HAYWARD PD EFF. EXECUTIVE COMMUNICATIONS	02/2014
LAW ENFORCEMENT RESPONSE TO TERRORISM	02/2015
POST/DOJ PRINCIPLED BASED POLICING COURSE	09/2016
POST ONLINE COURSE (COMMUNICATION)	01/2017
POST ONLINE COURSE (SEARCH WARRANT FUND)	01/2017
POST ONLINE COURSE (TARGET YOUR TEACHING)	01/2017

**WORKSHOPS/MEETINGS ATTENDED/TRAINING CONDUCTED**

POST VEHICLE THEFT TELECOURSE WKSP	02/1996
POST VEHICLE THEFT TELECOURSE WKSP	04/1996
POST VEHICLE THEFT TELECOURSE	06/1996
POST ICI INSTRUCTOR UPDATE WKSP #1	09/1997
POST ICI INSTRUCTORS UPDATE WKSP M1	11/1997
POST ICI INSTRUCTORS UPDTE WKKSP M2	12/1997
POST ICI INSTRUCTOR UPDATE WKSP	03/1998
POST ICI INSTRUCTORS WKSP #22, A	04/1998
POST ICI INSTRUCTORS WORKSHOP #23	10/1998
POST ICI INSTRUCTORS WKSP #24 PARTI	11/1998
POST MASTER INSTRUCTOR PRGRM #10	02/1999
POST MASTER INSTRUCTOR REVIEW MTG	02/1999
POST MIDP UPDATE CONFERENCE	06/1999
POST SUPERV. COURSE INSTRUCTOR TRNG.	06/1999
POST MIDP CLASS #10M VALIDATION WKS	07/1999
POST MASTER INSTRUCTOR CLASS	10/1999

POST MASTER INSTR. DEV. PROGRAM	11/2000
POST ICI IDENTIFY THEFT CURR. WKSH	12/2000
POST ICI INSTR. WORKSHOP CLASS 33	01/2001
POST MIDP CLASS 13	01/2001
POST ICI INSTR. WORKSHOP CLASS 33	02/2001
POST ICI INSTR. WORKSHOP CLASS 34	03/2001
POST PLANNING MEETING FOR MASTER IN	03/2001
POST ICI THEFT CURRICULUM WORKSHOP	04/2001
POST MIDP DIMENSIONS VALIDATION WRK	05/2001
POST MIDP UPD CONFERENCE	06/2001
POST ICI INSTR. WORKSHOP	07/2001
POST MASTER INSTR DEV PROG (MIDP) V	08/2001
POST MIDP CURRICULUM REVIEW MTG	09/2001
POST ICI INSTRUCTOR CLASS #36	10/2001
POST MAST INST DEV PROG (MIDP) DIM	04/2002
SDRTC IDENTITY THEFT INVEST-ICI	06/2002
POST MIDP PROJECT VALIDATION WKSHOP	08/2002
SDRTC IDENTITY THEFT INVEST-ICI	08/2002
POST MASTER INST. DEV PROG (MIDP)	11/2002
POST MIDP LEARNING CONTRACT WKSHOP	11/2003
POST MASTER INST DEV PROG UPD CONF	01/2004
POST MIDP CORE COURSE	03/2004
POST MIDP DIMENSIONS WORKSHOP	04/2004
POST MIDP LEARNING CONTRACT WKSHOP	04/2004
POST ICI ADV HOM INV COURSE CURR MT	07/2004
POST MIDP FINAL VALID WKSHOP	07/2004
POST ICI HOMICIDE INV ATTRIBUTES MT	08/2004
POST MIDP CLASS 16 GRADUATION	10/2004
POST ICI ADV HOMICIDE COURSE SCEN	10/2004

POST ADVANCED HOMICIDE SCENARIO	12/2004
POST ADVANCED HOMICIDE SCENARIOS	01/2005
POST MIDP FINAL VALIDATION WKSHOP	01/2005
POST ICI ADVANCED HOM COURSE CURR	02/2005
POST MIDP CORE COURSE	03/2005
POST MIDP #19 LEARNING CONT WKSHOP	04/2005
POST ICI ADV HOM INV COURSE PRE-PIL	05/2005
POST ICI ADVANCED HOM INV COURSE	06/2005
POST ADV HOM INV COURSE INST./ACT	07/2005
POST ID THEFT COURSE ALIG MTG	08/2005
POST ADV. HOMICIDE INV COURSE INST	09/2005
POST MIDP CLASS #20 CORE COURSE	10/2005
POST MIDP STAFF MEETING	10/2005
POST MIDP CONTRACTS WKSHOP	11/2005
POST ICI ADVISORY COUNCIL	12/2005
POST MIDP CONF PLANNING COMM MTG	12/2005
POST ICI ADV HOMICIDE INV COURSE SC	12/2005
POST ISAC	02/2006
POST MIDP CLASS #21 CORE COURSE-BEG	04/2006
POST MIDP LEARNING CONT WKSHOP	05/2006
POST MIDP UPDATE CONFERENCE	06/2006
POST ICI INST UPD SYMPOSIUM	06/2006
POST MIDP-TTP VALIDATION	08/2006
POST ICI CORE COURSE PRESENT & COOR	09/2006
POST VICE CURRICULUM UPDATE	10/2006
POST ICI CORE COURSE MEETING	11/2006
POST PLANNING THE 2007 POST LAW ENF	12/2006
POST HUMAN TRAFFICKING COURSE DEV.	02/2007
POST ISAC MTG.	02/2007

POST INSTRUCTOR SYMPOSIUM MTG.	02/2007
POST JOB ANALYSIS USUABILITY MTG.	03/2007
POST INSTRUCTOR DEV. INSTITUTE	04/2007
POST ICI DETECTIVE SYMPOSIUM	05/2007
POST ADV. HOMICIDE INV-TELECOURSE WKSHOP	08/2007
POST MIDP-TTP VALIDATION	08/2007
POST ISAC MTG.	09/2007
POST ICI ADVISORY COUNCIL MTG.	09/2007
POST ICI PRESENTERS MTG.	09/2007
POST ADV. HOMICIDE INVES-TELECOURSE WKSHP	09/2007
POST INST. DEV. SYMPOSIUM MEETING	10/2007
POST MIDP-GRADUATION	11/2007
SDRTC ICI/IDI-SPECIAL INSTRUCTOR DEV.	01/2008
POST REAL ESTATE FRAUD CURR. DEV. WKSHOP	04/2008
SDRTC IDI-ADVANCED INSTRUCTOR, PHASE I	04/2008
POST REAL ESTATE FRAUD CURR. DEV. WKSHOP	06/2008
POST ISAC MTG.	08/2008
CSU-SN JOS ICI DETECTIVE SYMPOSIUM	04/2009
POST ICI PRESENTER/COORDINATOR MTG.	04/2009
SDRTC ICI INSTRUCTOR DEVELOPMENT SYMPOSIUM	05/2009
SDRTC INSTRUCTOR DEVELOPMENT SYMPOSIUM	05/2009
SDRTC IDI-LEADERSHIP AND MENTORING FOR INST	11/2009
SDRTC IDI-MASTER INSTRUCTOR CERTIFICATION	11/2009
SDRTC IDI-LEADERSHIP AND MENTORING FOR INST	12/2009
POST STRATEGIC PLAN	12/2009
POST ICI TECH. FOR INV. COURSE DEV.	03/2010
CSU-SN JOS ICI DETECTIVE SYMPOSIUM	04/2010
POST TRNG. MANAGERS COURSE REVIEW	10/2010
CSU-SAC COURSE ADMINISTRATOR TRAINING (ICI)	01/2011

POST QUALITY ASSESSMENT WORKSHOP	03/2011
LAPD ICI DETECTIVE SYMPOSIUM	04/2011
POST QUALITY ASSESSMENT WORKSHOP	04/2011
POST ICI PLANNING MEETING	10/2011
POST QUALITY ASSESSMENT WORKSHOP	01/2012
POST ICI CORE PRESENTER WORKSHOP	08/2013
POST ISAC WORKSHOP	09/2013
POST MANAGEMENT UPDATE-SME	11/2013
POST ISAC WORKSHOP	12/2013
POST MANAGEMENT COURSE UPDATE MEETING	02/2014
POST ISAC WORKSHOP	04/2014
IDI AICC INSTRUCTORS TRAINING FOR TRAINERS	06/2014
IDI AICC INSTRUCTORS TRAINING FOR TRAINERS	07/2014
ICI CORE COURSE COORDINATOR LEAD INSTRUC.	01/2015
RECORDS COURSE SUPERVISORY UPDATE	03/2015
HOMELAND SECURITY MGT COURSE UPDATE	06/2015
ICI PROGRAM MANAGEMENT BUDGET MEETING	07/2015
POST ISAC WORKSHOP	07/2015
ICI OIS COURSE UPDATE MEETING	10/2015
POST IDI PRESENTERS MEETING	10/2015
ICI OIS COURSE UPDATE MEETING	10/2015
POST MANAGEMENT COURSE UPDATE	03/2016
POST ICI CORE COURSE UPDATE	07/2016
POST ICI TERRORISM COURSE UPDATE	10/2016
POST ISAC MEETING	11/2016
POST ICI TERRORISM COURSE UPDATE	12/2016
POST ICI TERRORISM COURSE UPDATE	01/2017
POST BASIC COURSE CONSORTIUM MEETING	01/2017
POST PROCEDURAL JUSTICE MEETING	01/2017

POST ICI PRINCIPLED POLICING UPDATE	02/2017
POST FTO COURSE UPDATE MEETING	03/2017
POST COURT ROOM PREP DEVELOPMENT WKSHOP	04/2017
POST BASIC COURSE CONSORTIUM MEETING	05/2017
IACP ANNUAL CONFERENCE 2017 PHILADELPHIA	10/2017
TEAM BUILDING WORKSHOP, BENICIA PD	05/2017
TEAM BUILDING WORKSHOP, EAST BAY CHIEFS	09/2017
TEAM BUILDING WORKSHOP, WESTMINSTER PD	09/2018
TEAM BUILDING WORKSHOP, ALBANY PD	12/2018
TEAM BUILDING WORKSHOP, ALHAMBRA PD	05/2019
LEADERSHIP AND EXEC. TRAINING, CO OF SAN DIEGO	03/2019 – 10/2019
POST DE-ESCALATION SUMMIT, SAN DIEGO, CA	10/2019
POST MANAGEMENT COURSE UPDATE	11/2020
TEAM BUILDING WORKSHOP, FRESNO PD	02/2022
TEAM BUILDING AND EXEC. DEVELOPMENT COSD	11/2022

## Exhibit 2

### **Testimony:**

Isom. et al., Plaintiffs vs. City of Los Angeles, et al. Case No.: CV 14-8826 AB (RZx)	Deposition Trial	01/15/2016 04/20/2016
Hunter; et al., Plaintiffs vs. County of Los Angeles; et al., Defendants Case No.: CV 14 – 09482-GHK (MANx)	Deposition	02/15/2016
Sheppard; et al., Plaintiffs vs. County of Los Angeles; et al., Defendants Case No.: CV 15 – 02920 SJO-JC (MANx)	Trial	09/15/2016
J. Gocke vs. United States of America and County of San Bernardino, et al. Case No.: 16-CV-1560 MWF (SHK)	Deposition	07/15/2019
Estate of Keagan Schweikle et. al., Plaintiffs City of Benton Arkansas, et. al, Defendants Case No. 4:17-CV-00460-BSM	Deposition	08/12/2020